

Bankruptcy Case Opening

For Attorneys

This process shows the steps and screens required for attorneys to open a bankruptcy case on CM/ECF.

- STEP 1** Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar. (See Figure 1.)



Figure 1

- STEP 2** The **BANKRUPTCY EVENTS** screen displays. (See Figure 2a.)

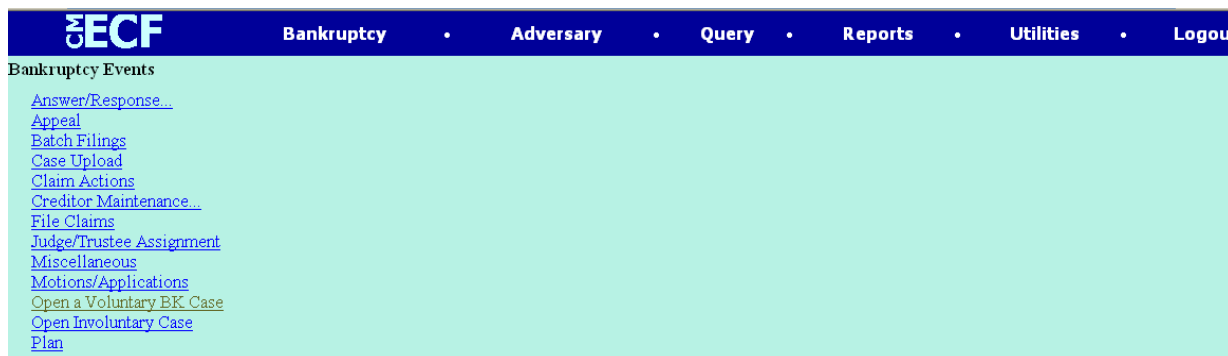
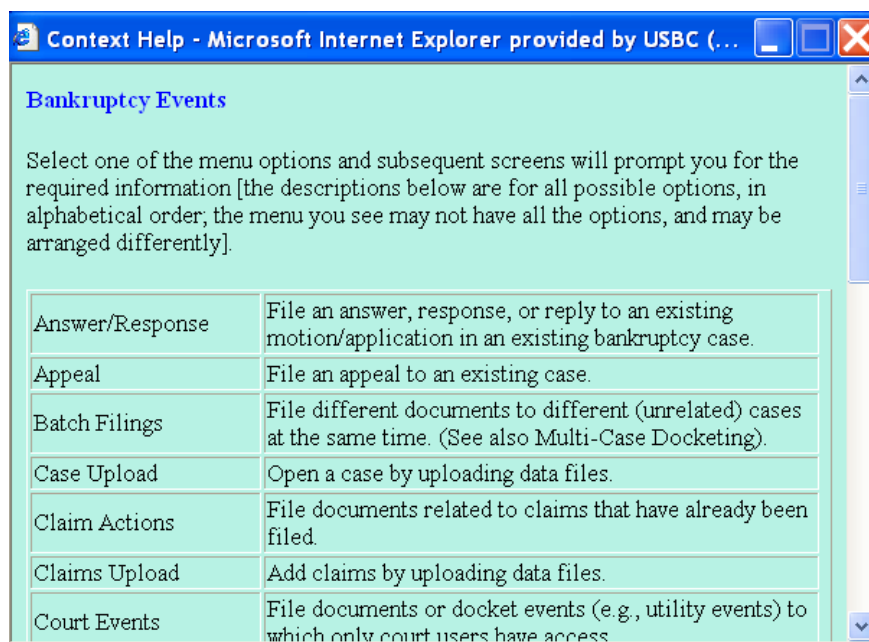


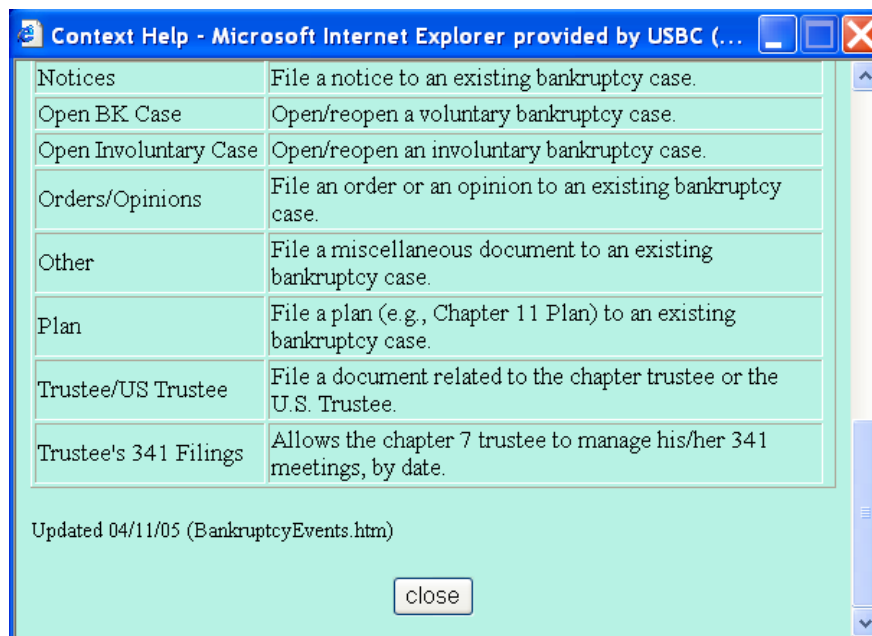
Figure 2a

- ◆ For further information on each of these categories, click the **HELP** icon on the CM/ECF Main Menu Bar (the question mark, pictured below). That will bring up a help screen. (See Figure 2b.)



**Figure 2b**

- ◆ This screen gives you more information about the menu selections. Too see information for other options, scroll down using the arrows or scroll bar on the right. (See Figure 2c.)

**Figure 2c**

NOTE: Due to user access assignments, your actual menu options may vary from this list.

- ◆ To close this help screen, click on the “X” in the top right corner of the screen, or click on the **[Close]** box at the bottom of the screen. This will return you to the Bankruptcy Events screen.
(See Figure 2c.)

STEP 3 At the Bankruptcy Events screen, click on the Open a Voluntary BK Case hyperlink. The Open New Bankruptcy Case screen will display (See Figure 3.)

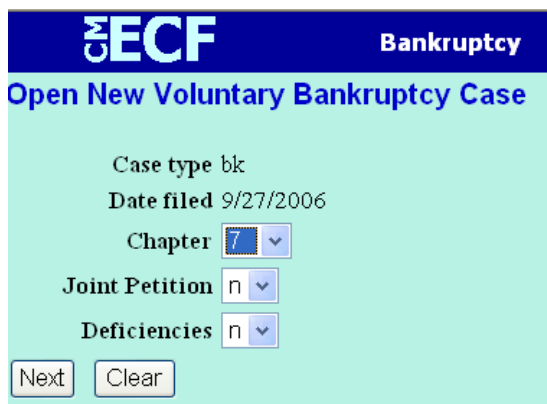


Figure 3

- ◆ The case number will be generated later in this process and will be displayed on the Notice of Electronic Filing.
- ◆ The current date will always be displayed in the **Date Filed** field.
- ◆ Select the **Chapter** from the pick list box, or skip it if the default is correct.
- ◆ The default value for **Joint Petition** is **n** (no); for a Joint filing select **y** (yes).
- ◆ The Case Type will always default to **bk**.

- ◆ If there are any required items missing from the Voluntary Petition, change the **Deficiencies** box from **n** to **y**.

NOTE: In **Chapter 13** cases, if the Plan and/or Certificate of Service is missing, but the Voluntary Petition **is** complete **do not** change the Deficiencies box from n to y.

- Plan & Certificate missing: deadline will be created for both automatically.
- Certificate of Service missing: a deadline will be created automatically for both the Plan and Certificate, **however**, once the user docket the Plan event the deadline will automatically be terminated, leaving only the deadline for the Certificate of Service due.
- If neither Plan nor Certificate of Service is missing: once the user docket the Plan and Certificate of Service events the deadlines will automatically be terminated.

- ◆ When this screen is correct, click **[Next]** to continue.

STEP 4 The **DEBTOR SEARCH** screen displays. (See Figure 4.)

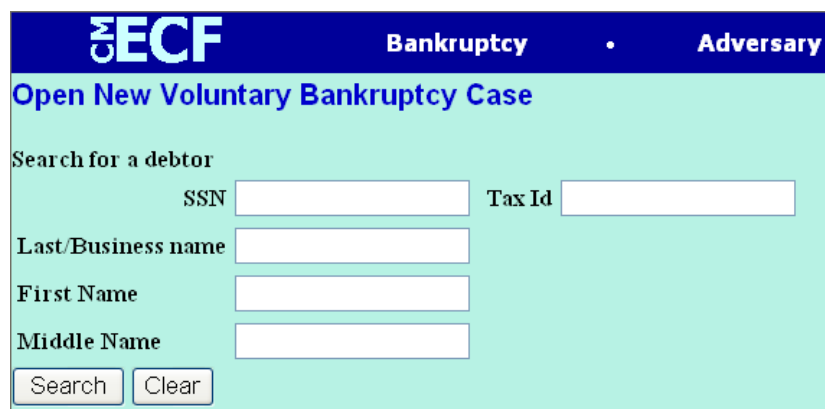


Figure 4

- ◆ This screen is for you to enter the debtor(s) on the case. Before you add the debtor, or any party, you should search the database to see if that party already exists in the database from another case, to eliminate duplicate records in the system. You can

search by Social Security Number, Tax Identification Number, Last Name or Business Name.

- You can enter the last name to search the database. If this is a business filing, enter the first word or significant words of the business name to search. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters.

NOTE: The entire name of businesses resides in the **Last/Business** field. Therefore, for business filings, entering the first part of the name may be sufficient to find a match.

STEP 5 If there are no matches, the system will return a **No Person Found** message. (See Figure 5a.)

The screenshot shows the ECF Bankruptcy Adversary search interface. At the top, there is a blue header with the ECF logo, the word 'Bankruptcy', and a separator followed by 'Adversary'. Below the header, the section is titled 'Search for a debtor'. It contains several input fields: 'SSN', 'Tax Id', 'Last/Business name', 'First Name', and 'Middle Name'. Below these fields are two buttons: 'Search' and 'Clear'. Underneath the search fields, the text 'Party search results' is displayed, followed by 'No person found.' At the bottom of the search area, there is a button labeled 'Create new party'.

Figure 5a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 5b**. Clicking on each of the names will display a window showing the debtor's address information for verification.

If none of the addresses are correct for this debtor, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

ECF Bankruptcy • Adversary • Query •

Search for a debtor

SSN Tax Id

Last/Business name

First Name

Middle Name

Party search results

- Purple, Joseph Wayne
- Purple, Joseph Wayne
- Purple, Joseph Wayne
- Purple, Joseph Wayne
- Purple, Joseph Wayne
- Purple, Joseph Wayne

Person Address - Microsoft Internet...

Joseph Wayne Purple
 SSN: xxx-xx-1234
 PO Box 123
 Chicago, IL 60605-0123
 County: Jefferson

Figure 5b

- ◆ Once you have tried alternative searches and determined that the party is not already in the database, you can add them to the database. Click **[Create New Party]**.

STEP 6 The **DEBTOR INFORMATION** screen displays. (See Figure 6.)

ECF Bankruptcy • Adversary • Query

Debtor Information

Joseph Wayne Purple SSN: xxx-xx-1234

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

Party text

Add all aliases and corporate parents before clicking the Submit button.

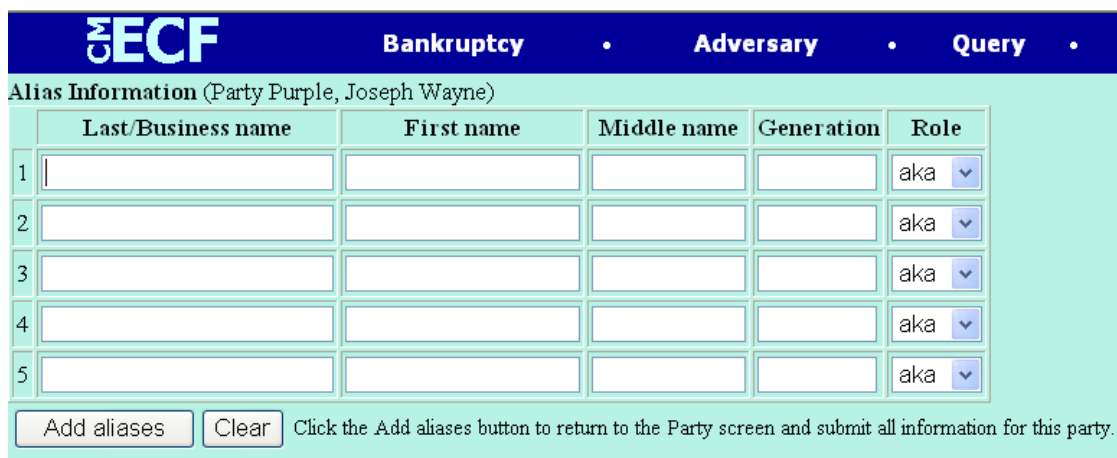
Figure 6

- ◆ Enter the debtor's **Name** and **Address** information in the appropriate boxes .
- ◆ Select the debtor's **County** of residence from the pick list box.

NOTE: Type the first letter of the county name for a faster search.

- ◆ Enter further descriptive text for the debtor in the **Party text** field, if appropriate (such as A Kentucky Corporation, Guardian of the State, etc.)
- ◆ It is not necessary to add the attorney representing the debtor. Because you are an attorney, Your name will be linked to the party you are representing automatically at the end of this transaction. Your login will furnish your attorney information to the system.
- ◆ If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen appears. (See Figure 7.)



	Last/Business name	First name	Middle name	Generation	Role
1					aka ▼
2					aka ▼
3					aka ▼
4					aka ▼
5					aka ▼

Click the Add aliases button to return to the Party screen and submit all information for this party.

Figure 7

- ◆ You can enter up to five alias names. **Alias Role** selections include aka, dba, fdbs, and fka. The default is aka.
- ◆ Click **[Add aliases]**.

STEP 8 The **DEBTOR INFORMATION** screen reappears. (See Figure 8a.)

ECF Bankruptcy • Adversary • Query

Debtor Information

Joseph Wayne Purple SSN: xxx-xx-1234

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

Party text

Alias... Corporate parent... Review... Add all aliases and corporate parents before clicking the Submit button.

Submit Cancel Clear

Figure 8a

- ◆ Clicking on the **[Review]** button at any time presents a screen summarizing the attorney and alias activity for this debtor. (See Figure 8b.)

ECF Bankruptcy

Review attorneys, aliases and corporate parents

Joseph Wayne Purple

Uncheck to remove from list

Attorneys added:

None added.

Aliases added:

☒ Joe's Crab Shack, (fdba)

Corporate parents added:

None added.

Return to Party screen Clear

Figure 8b

- ◆ Verify the information.

- ◆ Be careful about clicking the **[Clear]** button. You could accidentally delete information.
- ◆ Click **[Return to Party Screen]**.

STEP 9 The **DEBTOR INFORMATION** screen will return again as shown in **Figure 8a**. If you are finished adding information for this debtor, click **[Submit]** to continue with Case Opening.

NOTE: If this were a joint debtor filing, a **JOINT DEBTOR PARTY** screen would appear next.

STEP 10 Division of the case will be assigned based on the county selected in **STEP 6**, as shown in **Figure 10**. If a mistake was made in the selection of the county, click on the **[Back]** button and make the correction. If the information is correct, click **[Next]** to continue.

The screenshot shows the ECF Bankruptcy interface. At the top, there's a blue header with 'ECF' logo and 'Bankruptcy' and 'Adversary' tabs. Below the header, the title 'Open New Voluntary Bankruptcy Case' is displayed. A message states: 'Divisional Office is set to Louisville based on the county code 21111 of the debtor'. At the bottom of this section, there are two buttons: 'Next' and 'Clear'.

Figure 10

STEP 11 The **STATISTICAL DATA** screen appears next. (See **Figure 11**.)

The screenshot shows the ECF Bankruptcy interface for the 'STATISTICAL DATA' screen. The header is similar to Figure 10, but includes an additional 'Query' tab. The title 'Open New Voluntary Bankruptcy Case' is present. The form contains several input fields and radio button options. On the left, there are fields for 'Prior filing within last 8 years' (set to 'no'), 'Fee status' (set to 'Paid'), 'Nature of debt', 'Asset notice' (set to 'No'), 'Estimated number of creditors', 'Estimated assets', and 'Estimated debts'. On the right, there are two sections: 'Type of debtor' with radio buttons for 'Individual', 'Corporation (includes LLC & LLP)', 'Partnership', and 'Other'; and 'Nature of business' with radio buttons for 'Health Care Business', 'Single Asset Real Estate', 'Railroad', 'Stockbroker', 'Commodity Broker', 'Clearing Bank', 'Other', and a checkbox for 'Tax-Exempt Entity'. At the bottom, there are 'Next' and 'Clear' buttons.

Figure 11

- ◆ Select the **Type of Debtor** by clicking in the appropriate box(es).

- ◆ If the debtor has filed a previous bankruptcy petition within the past 8 years you need to click on the drop down menu to select **[Yes]**, otherwise, leave as **[No]**.
- ◆ The **Fee Status** values are Paid, Installment, and IFP filing fee waived. If the debtor is filing a separate PDF Application to Pay Filing Fees in Installments, you would select Installment from the pick list box. The Application to Pay the Filing Fees in Installments must be docketed as a separate event under the Motions/Applications category. IFP filing fee waived would only apply in a Chapter 7 case where the debtor is filing a separate PDF Application to Proceed in forma pauperis. The IFP Application must be docketed as a separate event under the Motions/Applications category.
- ◆ Designate the **Nature of Debt** as Consumer or Business.
- ◆ Choose Yes or No for **Asset notice** designation. The default is **NO**.
 - Chapter 7's the designation will be **NO**.
 - Chapter 11, 12, or 13's the designation will be **YES**.
- ◆ Select the range of **Estimated Creditors** from the pick list box.
 - 1 -49
 - 50 - 99
 - 100 -199
 - 200 - 999
 - 1,000 - 5,000
 - 5,001 - 10,000
 - 10,001 - 25,000
 - 25,001 - 50,000
 - 50,001 - 100,000
 - over 100,000
- ◆ Select the correct dollar range for **Estimated Assets**.
 - \$0 to \$10,000
 - \$10,000 to \$100,000
 - \$100,000 - \$1 million
 - \$500,001 - 1 million
 - \$1 million to \$100 million
 - More than \$100 million
- ◆ Select the correct dollar range for **Estimated Debts**.

- \$0 to \$50,000
- \$50,000 - \$100,000
- \$100,00 - \$1 million
- \$1 million to \$100 million
- More than \$100 million

◆ Select the appropriate nature of business if applicable.

- Health Care Business
- Single Asset Real Estate
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- Other
- Tax-Exempt Entity

◆ Click **[Next]** to continue.

STEP 12 If you have selected **y** for **Deficiencies** on the **Case Data** screen, the **DEFICIENCY LIST** screen will appear.
(See Figure 12.)

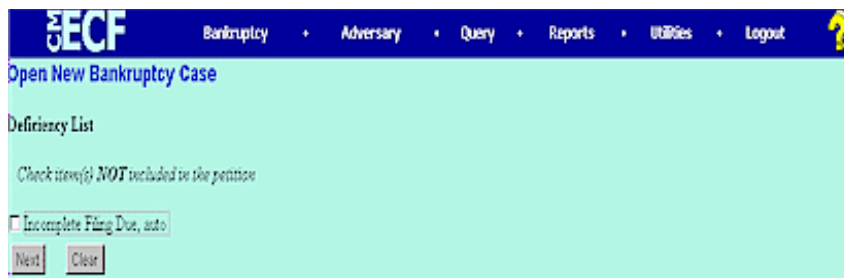



Figure 12

- ◆ Check the check box **Incomplete Filing Due, auto.** (Auto indicates that the deadline will automatically be calculated for the user)
- ◆ Click **[Next]** to continue.

STEP 13 The **SUMMARY OF SCHEDULES** screen appears.
(See Figure 13.)


Bankruptcy • Adversary • Query • Reports •

Open New Voluntary Bankruptcy Case

SUMMARY OF SCHEDULES

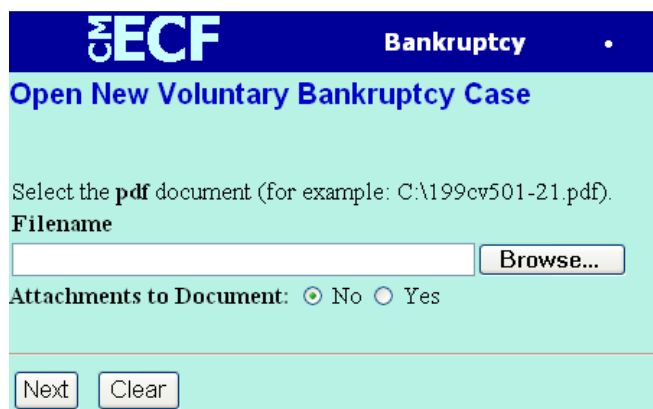
Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>		
B - Personal Property	<input type="text"/>		
D - Creditors Holding Secured Claims		<input type="text"/>	
E - Creditors Holding Unsecured Priority Claims		<input type="text"/>	
F - Creditors Holding Unsecured Nonpriority Claims		<input type="text"/>	
I - Average Income (line 16)			<input type="text"/>
J - Average Expenses (line 18)			<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)		<input type="text"/>	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		<input type="text"/>	

Figure 13

- ◆ Complete each box with the appropriate information.
- ◆ Click **[Next]** to continue.

STEP 14 The **SELECT A PDF DOCUMENT** screen appears.
(See Figure 14.)



ECF Bankruptcy

Open New Voluntary Bankruptcy Case

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Browse...

Attachments to Document: ☒ No ☐ Yes

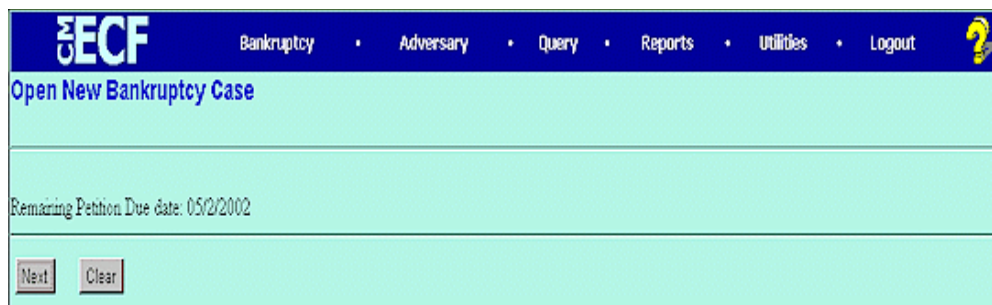
Next Clear

Figure 14

NOTE: This screen is used for associating the imaged document with this entry. Attorneys must enter the path and name of a pdf (portable document format) document here.

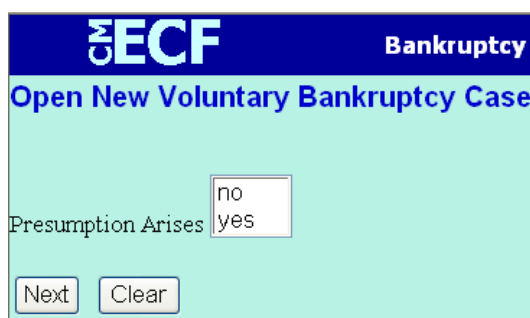
- ◆ Click [**Browse**], then click on the down arrow ▼ for the **Files of type** field.
- ◆ In the drop-down box, click on **All Files (*.*)**.
- ◆ Navigate to the directory where the appropriate PDF file is located.
- ◆ Highlight the file. Then right click with your mouse and select **Open** to verify the contents of the document. If this is the correct file, double-click the PDF file to select it.
- ◆ Accept the default setting of **No** for the **Attachments to Document** radio buttons. Attachments will be covered in another module.
- ◆ Click [**Next**]

STEP 15 The **INCOMPLETE FILINGS DEADLINES** screen is presented. (See Figure 15)

**Figure 15**

- ◆ The deadline for filing the remaining petition is calculated and displayed. This will print on the final docket text and will exist as a schedule record for queries and reports.
- ◆ The court will monitor the deadline for compliance and will verify deficiencies.
- ◆ Click **[Next]** to continue.

STEP 16 The question regarding the presumption of abuse is presented. **(See Figure 16).** If the Statement of Current Monthly Income and Means Test document prepared for the debtor indicates that the presumption of abuse does not arise, select “No”. If the Statement indicates that the presumption of abuse does in fact arise, select “Yes”.

**Figure 16**

STEP 17 The **RECEIPT #** screen appears. **(See Figure 17.)**

- ◆ If you are paying in installments, change the amount in the fee box to the amount you are paying. If you are paying 0 remove fee amount from the fee box.

Figure 17

- ◆ Click **[Next]** to continue.

STEP 18 The **FINAL TEXT EDITING** screen displays. (See Figure 18.)

Figure 18

- ◆ **Proof this screen carefully!** This is what will print on the docket sheet.
 - ◆ If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the screen to be modified, make the correction, and continue through the event.
 - ◆ To abort or restart the transaction, click on the Bankruptcy hyperlink on the **CM/ECF Main Menu Bar**. Although this can be done at any time, this is your last opportunity to change the event.
 - ◆ The case number will now be assigned. Click **[Next]** to continue. The Internet Payment screen will be displayed. (See Figure 19). You will be given the opportunity to either pay your fees now by
- STEP 19**

clicking on the Pay Now button, or to continue filing and pay all of the days outstanding fees at the end of the day by clicking on the Continue Filing option. Refer to the On-Line Credit Card manual for more information on paying your fees on-line.

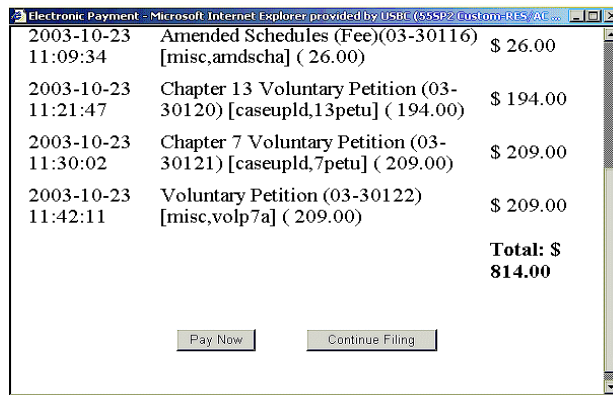


Figure 19

STEP 20 The **NOTICE OF ELECTRONIC FILING** screen displays. (See Figure 20)

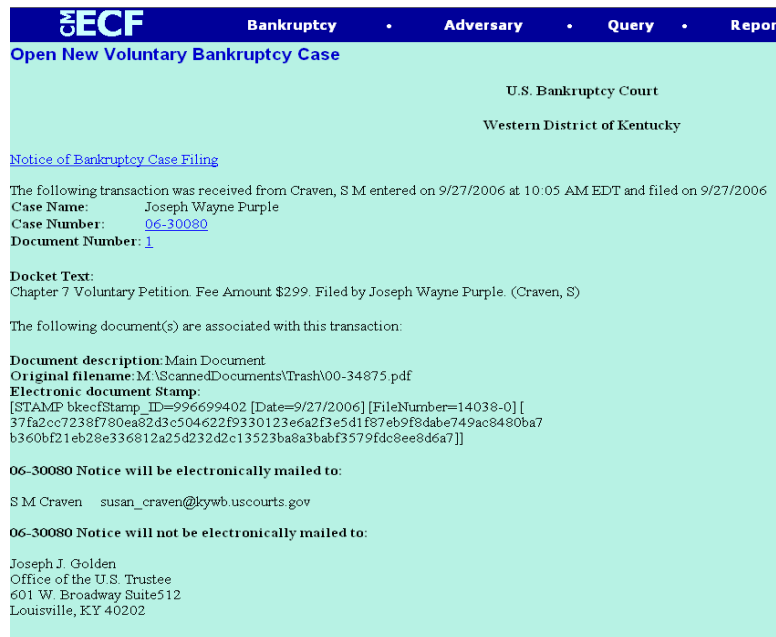


Figure 20

- ◆ This **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies the that petition is now an official court document.
- ◆ Make a note of the case number, which appears in blue. Clicking on the case number hyperlink.
- ◆ Clicking on the document number hyperlink [1](#), will display the PDF image of the petition just filed.
- ◆ The [Notice of Bankruptcy Case Filing](#) hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice summarizing the pertinent details and participants of this case. **(See Figure 20.)**

NOTE: You must enter your PACER login and password to view any documents or reports and to perform any queries.

STEP 21

If you click on the [Notice of Bankruptcy Case Filing](#) hyperlink at the top of the Notice of Electronic Filing, the Notice of Bankruptcy Case Filing will be displayed. This notice summarizes the pertinent details and participants of this case. **(See Figure 21)**


ECF		Bankruptcy	Adversary	Query	Reports	Utilities	Logout
		United States Bankruptcy Court Western District of Kentucky					
Notice of Bankruptcy Case Filing							
A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 09/27/2006 at 10:05 AM and filed on 09/27/2006.							
Joseph Wayne Purple PO Box 123 Chicago, IL 60605-0123 SSN: xxx-xx-1234 <i>fdba</i> Joe's Crab Shack							
The case was filed by the debtor's attorney:							
S M Craven 601 West Broadway Louisville, Ky 40202							
The case was assigned case number 06-30080.							
In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.							
If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our <i>Internet</i> home page http://www.kywb.uscourts.gov/ or at the Clerk's Office, 450 U.S. Courthouse, 601 W. Broadway, Louisville, KY 40202.							
You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.							
Diane S. Robl Clerk, U.S. Bankruptcy Court							

Figure 21

- ◆ This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, trustee, case number, time, and filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.
- ◆ The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar selection.
- ◆ To print a copy of this notice, click the browser **[Print]** button or icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.

NOTE: If this case had been opened by the court, the time stamp would not appear on the seal. It appears only for cases opened electronically by non-court users.

NOTES REGARDING ADDITIONAL DOCUMENTS THAT MAY/ARE REQUIRED TO BE FILED AT THE TIME THE PETITION AND/OR SCHEDULES ARE FILED

The below table is a list of common documents which either may be filed at the time the petition and/or schedules are filed or are required to be filed (some are new documents now required as a result of the implementation of the BAPCPA on October 17, 2005).

Document	How to File	Other Notes
Application to Pay in Installments	Must be filed and docketed separately from the petition. Appropriate event: Pay Filing Fee in Installments under the Motions/Applications category.	Must be filed at the time the new case is filed. Application is granted automatically unless debtor has been dismissed previously for failure to pay a filing fee.
Application to Proceed In Forma Pauperis	Must be filed and docketed separately from the petition. Appropriate event: In forma pauperis under the Motions/Applications category.	Application must comply substantially with Official Form 3. Available only for Chapter 7 cases filed by individual debtor(s).

Document	How to File	Other Notes
Certificate of Credit Counseling	May be filed either with the petition and schedules OR may docketed separately. The event for Certificate of Credit Counseling is found under the Miscellaneous category. Some petition preparation programs will docket the certificate for you; please consult with your software provider.	Credit counseling is required for all individual debtors, unless an exemption is granted. Document must be a certificate issued by the provider, i.e., debtor cannot prepare his own certificate. Required at the time the case is filed, unless debtor has filed a motion for extension of time or for exemption from credit counseling; however, if not filed at the time the case is filed, the Court will issue a Notice of Deficiency allowing fifteen days from the date the case was filed to file the required certificate. Case may be dismissed if not filed by the time the deficiency deadline elapses.
Creditors Matrix	Should be filed in PDF format as part of the petition/schedules (preferably at the end of the document) and must be uploaded in text format using Creditor Maintenance OR a petition preparation software package with case upload capability).	Must be filed or uploaded at the time the case is filed. If not uploaded at this time, the Court will contact the attorney to upload the creditors. If matrix is not supplied and uploaded within three days of the date the case is filed, case may be dismissed.
Exhibit D		
Motion to Extend Time for Credit Counseling	Must be filed separately from the petition/schedules. Appropriate event: Extend Time for Credit Counseling under the Motions/Applications category.	Motion/Order must comply substantially with Local Form N. Should be filed at the time the case is filed; however, if not filed at the time the case is filed, the Court will issue a Notice of Deficiency allowing fifteen days from the date the case was filed to file the required motion. Case may be dismissed if not filed by the time the deficiency deadline elapses.

Document	How to File	Other Notes
Motion for Exemption from Credit Counseling	Must be filed separately from the petition/schedules. Appropriate event: Exemption from Credit Counseling under the Motions/Applications category.	Motion/Order must comply substantially with Local Form O. Should be filed at the time the case is filed; however, if not filed at the time the case is filed, the Court will issue a Notice of Deficiency allowing fifteen days from the date the case was filed to file the required motion. Case may be dismissed if not filed by the time the deficiency deadline elapses.
Remaining Schedules, Statement of Financial Affairs and Attorney's Disclosure of Compensation Page	May be filed at the time the petition is filed (as part of the same PDF document) or if petition is filed as a "skeletal filing," may be filed within fifteen days of the date the case was filed. Schedules should be filed in the sequence required by the Court; refer to the Court's website for further information.	If schedules and other required documents are not filed within fifteen days of the date the case was filed, case may be dismissed without further notice or hearing. If schedules are not filed at the time the case is opened, the Court will enter an entry informing the filer of the required deadlines and possible consequences.
Statement of Current Monthly Income (Official Form 22)	May be filed either with the petition and schedules OR may docketed separately. The event for Statement of Current Monthly Income is found under the Miscellaneous category (there are separate events for Chapters 7, 11 and 13).	Required for all individual debtors with primarily consumer debts. Should be filed at the time the case is filed; however, if not filed at the time the case is filed, the Court will issue a Notice of Deficiency allowing fifteen days from the date the case was filed to file the required document. Case may be dismissed if not filed by the time the deficiency deadline elapses.
Statement of Intention	If filed at the time the schedules are filed, should be filed as part of the schedules PDF, behind the Statement of Financial Affairs but before Schedule A.	Due no later than 30 days from the date the case is filed or the date of the Section 341 Meeting, whichever is earlier. Case may be dismissed for failure to file Statement of Intention if required. Statement of Intention is not required if debtor has listed no debt on Schedule D.

